REMARKS

Applicant respectfully requests reconsideration of this application in view of the following remarks and the above amendments. This response is believed to fully address all issues raised in the Office Action mailed October 15, 2007. Furthermore, no new matter is believed to have been introduced hereby.

Claims 1, 7, 13, and 19-29 remain pending in the present application.

Initially, undersigned would like to thank Examiner Wilson for removing outstanding objections and rejections.

35 USC §103 Rejection of the Claims

Claims 1, 7, 13, 28, and 29 were rejected under 35 USC § 103(a) as being unpatentable over Ferguson (U.S. Patent No. 5,809,024) in view of Jugel (U.S. Patent No. 5,390,174).

Claims 19-26 were rejected under 35 USC § 103(a) as being unpatentable over Ferguson (U.S. Patent No. 5,809,024) in view of Jugel (U.S. Patent No. 5,390,174) further in view of Chuissi (U.S. Patent No. 5,689,500).

Each of these rejections is respectfully traversed since the cited art, alone or in combination, fails to teach or suggest the claimed combination of features such as set forth in any of the pending claims.

More particularly, the Office relies on Ferguson to teach various elements of claim by for example stating:

> at each of a plurality of input ports, portioning a portion of each data frame to provide one or more order data cells having data representative of a sequence number corresponding with the output port associated with the destination of the data frame the data representative of the sequence number in each data cell indicating an ordinal position of the data cell among the ordered data cell of the data frame (Each LAN nodule has a plurality of input ports (211B) which segments or partitions a data packet or data frame into one or more ATM or data cells corresponding to an output port (241A) associated with the destination of the data packet or data frame per Fig 2 and per col. 8 line 34 to col. 9 line 67); and

However, Ferguson in column 9, lines 44-54 states that:

> Generally, the present invention works by a device such
> as network device 221 transmitting a packet over its LAN 45
> segment 241 to port 211A of module 201. Assume that the
> packet is addressed to network device 224. LAN module 201
> will then forward the packet to port 241A of hub 200. Either
> the ATM switch module 205 or the LAN switch module 204
> comprises a module that acts to segment the packet into a 50
> plurality of ATM cells, each a fixed length of 48 bytes. In
> addition, the module provides the proper routing informa-
> tion in each cell header as will be seen below according to
> an embodiment of the present invention.

As can be seen, no partitioning is performed by Ferguson "at each of a plurality of input ports" as is recited in claim 1. In fact, Ferguson teaches away from this by segmenting its packet at either "the ATM switch module 205 or the LAN switch module 204." More particularly, as may be determined by reference to Fig. 2 of Ferguson and the above Ferguson text, it is clear that module 205 or 204 are both not at the input port (211B as construed by the Office in the above cited portion of the Office Action).

The Office goes on to reject claim 1 by stating that:

> at each of the output port, receiving a forwarded data cell for each order data cell associated with
> each data frame having a destination associated with the output port, each forwarded data cell
> corresponding with an ordered data cell and data frame associated with the ordered data cell and
> determining an ordinal position of the forwarded data cell among the forwarded data cell
> associated with the data frame based upon data in the forwarded data cell representative of the
> sequence number (Each of the output ports (LAN Module 204 has a plurality of output ports
> 241A) which receive the forwarded ATM cells associated with the segmented or partitioned data
> packet or data frame having a destination address associated with output port (241A)

This portion of the Office Action does not cite any specific portion of Ferguson's text. However, the only potentially relevant portion of Ferguson appears to be at column 9, lines 55-65 which states:

> As the packet is segmented, the cells are transmitted to the 55
> ATM switch 205 where the cells are routed to an output port
> associated with the module to which the destination network
> device is attached, e.g., the cells are routed to module 204,
> port 241A to which network device 224 is attached. The cell
> is then switched to a buffer in module 204 where it is 60
> reassembled, along with the other cells from the packet
> which have been similarly created by the segmentation
> process and transmitted over the switch, to again form the
> packet before the packet is transmitted out port 204 to
> destination device 224 over LAN segment 244. 65

However, contrary to Office's statement when rejecting the element "at each of the output port …" cited above and as stated by the Office in the last full paragraph on page 2 of the outstanding Office Action, Ferguson fails to teach (or even suggest) the claimed "determining an ordinal position of the forwarded data cell among the forwarded data cells associated with the data frame based upon data in the forwarded data cell." Accordingly, the above cited portion of the Office Action rejecting the element "at each of the output port …" appears to contradict the last full paragraph on page 2 of the outstanding Office Action.

The Office lastly relies on Jugel to reject the claimed "sequence number" and other related citations in claim 1 by stating that:

> Jugel teaches: adding a sequence number representative of the ordinal position and determining the ordinal position of the received frames at the output port (SEQ or sequence number is added
>
> to the cell which is used by the Resequencer to determine the ordinal position of the received frames per fig 3)

However, upon reviewing the text of Jugel and Fig. 3, it is unclear to undersigned how Jugel's sequence number is indicating "ordinal position among the ordered cells of the data frame" or any of the highlighted portions of claim 1 below:

1.   (Original) A method of transmitting data frames to a plurality of output ports, each of the data frames having a destination associated with one of the output ports, the method comprising:

at each of a plurality of input ports, partitioning a portion of each data frame to provide one or more ordered data cells having data representative of a sequence number corresponding with the output port associated with the destination of the data frame, the data representative of the sequence number in each data cell indicating an ordinal position of the data cell among the ordered data cells of the data frame; and

at each of the output ports, receiving a forwarded data cell for each ordered data cell associated with each data frame having a destination associated with the output port, each forwarded data cell corresponding with an ordered data cell and data frame associated with the ordered data cell, and determining an ordinal position of the forwarded data cell among the forwarded data cells associated with the data frame based upon data in the forwarded data cell representative of the sequence number.

Hence, the cited art, alone or in combination, clearly fails to teach or suggest the claimed combination of features such as set forth in claim 1. The remaining independent claims 7 and 13 have been rejected based on similar logic as claim 1, and these claims should also be in condition for allowance for at least similar reasons as claim 1.

Also, all pending dependent claims should be allowable for at least similar reasons as their respective independent claims, as well as additional or alternative elements that are recited therein but not shown in the cited prior art.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (720-840-6740) to facilitate prosecution of this application.

Applicant hereby petitions, as well as includes the appropriate fee herewith, to obtain a one-month extension of the period for responding to the Office action, thereby moving the deadline for response from January 15, 2008, to February 15, 2008.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-4238.

Respectfully submitted,

CUSTOMER NUMBER: 50890

Telephone No. 720-840-6740

Date   Feb. 15, 2008   By   /Ramin Aghevli/
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